

January 7, 2004

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:04 p.m. on Wednesday, January 7, 2004, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Horwich.

3. ROLL CALL

Present: Commissioners Faulk, Horwich, LaBouff, Muratsuchi, Uchima and Chairperson Drevno.

Absent: Commissioner Botello.

Also Present: Planning Manager Isomoto, Planning Associate Crecy, Assistant City Attorney Pohl, Fire Marshal Fawcett, Associate Civil Engineer Symons and Building Regulations Administrator Segovia.

Planning Manager Isomoto relayed Commissioner Botello's request for an excused absence due to illness.

MOTION: Commissioner Horwich, seconded by Commissioner Faulk, moved to grant Commissioner Botello an excused absence from this meeting; voice vote reflected unanimous approval.

4. POSTING OF THE AGENDA

MOTION: Commissioner Horwich, seconded by Commissioner Muratsuchi, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

5. APPROVAL OF MINUTES

None.

6. REQUESTS FOR POSTPONEMENTS

None.

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Chairperson Drevno explained the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

7. CONTINUED HEARINGS

7A. PRE03-00017: BRUNO BONDANELLI (EUGENE ALLEN)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-floor additions to an existing single-family residence including the incorporation of a Waiver to allow the retention of an existing side yard setback on property located in the Hillside Overlay District in the R-1 Zone at 131 Camino de las Colinas.

Recommendation

Approval.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting.

Bruno Bondanelli, 6380 Wilshire Boulevard, #1110, Los Angeles, project architect, briefly described the revisions made in response to concerns discussed at the December 3 meeting. Referring to renderings, he noted that deck over the garage and the second-floor gym were eliminated, the bulk of the house was moved back 12 feet, the Floor Area Ratio (FAR) was reduced from 0.57 to 0.53, and the height was decreased from 24 feet 8 inches to 22 feet 7 inches.

Commissioner Faulk noted that Commissioners had suggested raising sill heights on the south side of the building to address privacy concerns. Mr. Bondanelli stated that, with the elimination of the gym, only two south-facing windows remain, a window in the master bathroom, which will be frosted, and a window in the master bedroom. He explained that no changes were proposed for the master bedroom window because it would look out of balance to have an odd-shaped window with a higher sill in the room and maintained that curtains would take care of any privacy issues.

Robert Keller, 139 Camino de las Colinas, stated that the revisions did not resolve his concerns about the project's impact on his privacy and view and suggested that the applicant expand his home by building an addition on the rear of the property as others have done on this block. He expressed concerns that approval of the project could set a precedent and pointed out that the letters submitted in support of the project are from people who are not impacted by it. He stated that eliminating the gym merely reduced the view loss from two-thirds to fifty percent and contended that the project does not comply with the Hillside Overlay Ordinance, TMC Section 91.41.6, subsections a, b, d. and f.

Steve Sucher, 127 Camino de las Colinas, voiced objections to the project because it would block light from his property and maintained that the shadow study submitted by the applicant was grossly inaccurate. He stated that the applicant failed to incorporate recommendations from the Commission when the project was revised and ignored his suggestion about modifying the roofline to avoid blocking sunlight to his property. He noted his disagreement with staff's assessment of the project.

Gary Weiss, 135 Camino de las Colinas, stated that he currently rents the property and is interested in purchasing it, but believes the proposed project would

greatly impact its value. He expressed concerns about the project's impact on light and privacy, noting that he detailed these concerns in his letter (supplemental material).

Submitting photographs to illustrate, Eugene Allen, 131 Camino de las Colinas, applicant, stated that the master bedroom window was the only window left from which he could enjoy the view of the Palos Verdes. Commenting on the privacy impact, he suggested that, as a single man, he should be more concerned about someone looking into his bedroom window than neighbors should be concerned about his looking out. Referring to a photograph taken in July, he pointed out that Mr. Keller's window and curtains are closed in the photograph; reported his observation that the chair and couch in this room do not face the window; and maintained that this view only became an issue after he started to plan his dream home. With regard to the impact on light, he noted that trees were trimmed on an adjacent property to accentuate the shadow from the silhouette as evidenced by a photograph taken shortly before the initial Planning Commission hearing was scheduled.

Dr. Allen stated that it was unfair to say that he has not worked with his neighbors, noting that he has been working on the design of the project for more than a year and it has undergone several revisions. He commented on the sacrifices he has made to afford addition; voiced his opinion that it would be an improvement to the neighborhood; and maintained that there was no reason he should be denied the opportunity to fulfill his dreams.

In response to Commissioner Horwich's inquiry, Mr. Allen expressed his willingness to use frosted glass for the bottom half of the master bedroom window in order to address privacy concerns.

Commissioner Horwich stated that he was concerned about the impact on Mr. Keller's view of the Santa Monica Mountains, because in his judgment, the revised project would still take away 30 to 40% of that view.

Returning to the podium, Mr. Keller explained that the photograph with his drapes drawn must have been taken while he was on vacation and maintained that Dr. Allen was proposing to gain a view at the expense of his.

Vicki Pellerito, 226 Camino de las Colinas, expressed concerns that the project could have a domino effect that would be very detrimental to the neighborhood and voiced her opinion that further revisions were needed. She stated that when she remodeled her home she never considered going beyond the existing footprint.

In response to Commissioner Faulk's inquiry, Mr. Bondanelli indicated that it would be possible to lower the parapet wall by one foot.

Mr. Sucher disputed Dr. Allen's contention that trees were trimmed to accentuate the impact of the silhouette, reporting that he trims his trees on a regular basis.

MOTION: Commissioner Faulk, seconded by Commissioner Horwich, moved to close the public hearing; roll call vote reflected unanimous approval.

For the benefit of the audience, Commissioner Faulk noted that the Commission considers each case on an individual basis. He indicated that he would support the

project with added conditions requiring the parapet wall to be lowered one foot and the lower half of south-facing windows to be frosted or opaque. Acknowledging that the Kellers' view would be impacted, he stated that he believed the significant view from their home was out the back toward the ocean and noted that some of the impact had been addressed by the revisions. He voiced his opinion that the frosted windows would mitigate the impact on privacy and stated that while he agreed that the shadow study was flawed, he felt the large pine tree on the Suchers' property has a greater impact on light than the new structure would.

Commissioner Muratsuchi conceded that Dr. Allen had made a lot of concessions, but stated that he could not support the project due to the impact on the Kellers' view and the Suchers' light. He recommended denying the project without prejudice and expressed the hope that the applicant would be able to work out the few remaining issues with his neighbors.

Commissioner Uchima reported that he visited the Kellers' home and observed more of an impact on the view than shown in the photograph submitted by Dr. Allen. He agreed with Commissioner Faulk that the more significant view is toward the ocean, but recognized that the affected view is significant to the Kellers. Commending Dr. Allen for his willingness to make revisions, he stated that he was still concerned about the impact on the Kellers' view and the Suchers' light and could not support the project as proposed. He commented on another two-story project on this street that was approved only after the project was significantly modified to mitigate the impact on neighbors.

Commissioner LaBouff indicated that he was also inclined to vote for denial of the project.

MOTION: Commissioner Muratsuchi moved to deny PRE03-00017 without prejudice.

Commissioner Horwich stated that he felt he was very close to being able to approve the project, with the conditions proposed by Commissioner Faulk, and that the only thing standing in his way was the impact on Mr. Keller's view.

Commissioner Uchima recommended that the applicant and his architect visit neighbors who have voiced concerns in order to observe the project's impact from their perspectives and to try to reach a compromise.

At Commissioner Horwich's request, the public hearing was reopened so the applicant could provide input as to whether he would like a continuance. Mr. Allen indicated that he would like an opportunity to make additional revisions.

Commissioner Horwich offered the following substitute motion:

MOTION: Commissioner Horwich moved to continue the hearing on PRE03-00017 for two weeks. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

A brief discussion ensued regarding the scope of the revisions. Commissioner Uchima stated that he was not sure lowering the parapet would adequately mitigate the

impact on the Kellers' view and reiterated his recommendation that the applicant work with his neighbors.

Commissioner Horwich stated that he understood it was probably not possible to completely alleviate the impact on the Kellers' view, but he would need to see a significant improvement before he could support the project.

Dr. Allen indicated that he would need at least a month to make the revisions and agreed to continue the hearing to February 18.

MOTION: Commissioner Muratsuchi moved to continue the hearing on PRE03-00017 to February 18, 2004. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Planning Manager Isomoto announced that the hearing would not be re-advertised because it was continued to a date certain.

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The Commission recessed from 8:39 p.m. to 8:49 p.m.

8. WAIVERS

None.

9. FORMAL HEARINGS

9A. CUP03-00045: FRANK POLITEO

Planning Commission consideration for approval of a Conditional Use Permit to permit living quarters and allow exterior modifications to an existing commercial building including a 36-foot porch enclosure on property located in the C-2 Zone at 17519-17521 Crenshaw Boulevard.

Recommendation

Approval.

Mr. Frank Politeo, applicant, voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Muratsuchi, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Muratsuchi moved for the approval of CUP03-00045, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-001.

MOTION: Commissioner Faulk moved for the adoption of Planning Commission Resolution No. 04-001. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

9B. PRE03-00034: SCOTT PROBST (MILES PRITZKAT)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-floor additions to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 417 Avenida de Jose.

Recommendation

Approval.

Planning Associate Crecy introduced the request.

Miles Pritzkat, project architect, voiced his agreement with the recommended conditions of approval.

David Leach, 322 Calle de Arboles, expressed concerns about the project's impact on his view, estimating that approximately one-third of the view from his living room would be lost, and requested that the hearing be continued so he could discuss this with the applicant. He indicated that he was only concerned about the northeast corner of the addition and had no objections to any other part of the project. He noted that three City trees were also interfering with his view.

Commissioner Faulk asked if Mr. Pritzkat had viewed the project from Mr. Leach's residence. Mr. Pritzkat stated that he had not been inside the home but had taken photographs of the silhouette from in front of the house and submitted them for the record.

Indicating that he could not support the project, Commissioner Muratsuchi stated that he observed a significant loss of ocean view when he visited Mr. Leach's home.

Scott Probst, 417 Avenida de Jose, applicant, reported on his efforts to design a project that would have the least impact on his neighbors. He noted that prior plans for a second story were approved through the sign-off process, but he decided not to build it because he felt it was not appropriate for the neighborhood. He stated that Mr. Leach, in his letter, suggested that the addition be moved to the west side of the house, however, that would obstruct several of his neighbors' views.

Commissioner Horwich commended the applicant for his efforts to minimize the impact on neighbors, noting that that the impact on Mr. Leach's view might not have been apparent because the view from inside the home is significantly different than from the yard.

Commissioner Horwich questioned whether the Commission has any influence over the trimming of City trees. Planning Manager Isomoto advised that the Hillside Ordinance does not address vegetation and while there is a methodology for the

trimming of City trees in front of one's own home, there are no provisions for trimming trees in front of a neighbor's home.

Mr. Pritzkat stated that he had not realized the impact on Mr. Leach's view and indicated that he would be amenable to a continuance.

MOTION: Commissioner Uchima, seconded by Commissioner Muratsuchi, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Uchima voiced support for a continuance, noting that he also observed that the project would have a significant impact on Mr. Leach's view.

Commissioner Faulk commented that he thought the problem would be obvious when the applicant and his architect visit Mr. Leach's home and easily remedied.

MOTION: Commissioner Uchima moved to continue the hearing on PRE03-00034 to February 18, 2004. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

Planning Manager Isomoto announced that the hearing would not be re-advertised because it was continued to a date certain.

9C. CUP03-00049, DIV03-00019, WAV03-00021: WESTERN GB CONTRACTING (NICOLE TRUST)

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a four-unit condominium development, a Division of Lot for condominium purposes, and a Waiver to allow a reduction in the front yard setback requirement on property located in the R-3 Zone at 1020 Cravens Avenue.

Recommendation

Denial.

Planning Associate Crecy introduced the request.

Gary Butcher, 2371 Torrance Boulevard, representing the applicant, briefly described the proposed project. He stated that according to his architect's calculations, the project's FAR is 0.72 as opposed to 0.84 as listed in the staff report; explained that the discrepancy was due to the City-mandated storage area; and questioned how the required storage could be provided without having it included in the FAR.

Commissioner Muratsuchi suggested that Mr. Butcher should have addressed this issue with staff prior to the meeting.

With regard to the Waiver, Mr. Butcher submitted photographs of recently built developments near Torrance Park and in downtown Torrance, which appear to have less than the required front yard setback. He also submitted photographs of the area surrounding the subject parcel, disputing staff's contention that the project would be out of scale with the neighborhood.

Mr. Butcher reported that he changed from stucco to a Craftsman-style exterior at staff's suggestion; noted that the lot coverage is only 37%; and requested approval of the project as submitted.

Referring to the photographs submitted by Mr. Butcher, Planning Manager Isomoto explained that two of the developments pictured are in the downtown redevelopment area and subject to different standards and related her understanding that the other one near Torrance Park complies with setback requirements.

MOTION: Commissioner Muratsuchi, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Muratsuchi moved to deny CUP03-00049, DIV03-00019 and WAV03-00021 without prejudice. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Commenting on his vote, Commissioner Horwich stated that he voted to deny the project because he thought the FAR was too high and the front yard setback and the private open space do not meet Code requirements.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-003, 04-004 and 04-005.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-003, 04-004 and 04-005. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

10. RESOLUTIONS

10A. CUP03-00047, TTM54205: ELITE HOMES (SUBTEC/CHERYL VARGO)

Planning Commission consideration of resolutions to deny without prejudice a Conditional Use Permit to allow the construction of an eight-unit condominium development and a Tentative Tract Map for condominium purposes and to allow the consolidation of three parcels into one parcel on property located in the R-3 Zone at 739 and 745 Border Avenue and 809 Arlington Avenue.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 03-176 and 03-177.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 03-176 and 03-177. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

10B. WAV03-00019: PARK-NEWTON (CETECH ENGINEERING/TOM YUGE)

Planning Commission consideration of a resolution to deny a height Waiver on property located at 3675-3677 Newton Street.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 03-175.

MOTION: Commissioner Horwich moved for the adoption of Planning Commission Resolution No. 03-175. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

None.

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

None.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of January 21, 2004.

15. ORAL COMMUNICATIONS

15A. Commissioner Muratsuchi, echoed by Commissioner Uchima, wished everyone a Happy New Year.

16. ADJOURNMENT

At 9:48 p.m., the meeting was adjourned to Wednesday, January 21, 2004, at 7:00 p.m.

Approved as Written February 18, 2004 s/ Sue Herbers, City Clerk
